

# Wilmington Recorder.

Vol. XX.

UNION, THE CONSTITUTION AND THE LAWS—THE GUARDIANS OF OUR LIBERTY.

THURSDAY, JANUARY 28, 1841.

No. 1657.

## Speech of Wm. B. Shepard, IN THE SENATE. In reply to Mr. Clingan.

Mr. Editor:—Mr. Clingan has somewhat a singular complaint attached to his speech, as published in your last paper. He says my first speech as published, is somewhat altered in the publication. Now, all I can say about the matter is, that I delivered the speech from fuller and more copious notes than I usual with me, and for the simple reason that I intended to avoid all chance of misrepresentation; and I endeavored to give it precisely as delivered; and I believe it is as nearly so as possible. As a proof of its accuracy, a gentleman of the House of Commons, (Mr. Smith of Hartford) who heard most of it, asked me if I had not written it out before delivery. He was struck with the remarkable identity between the spoken and the written speech.

All the public care about, I suppose, is, are the facts and arguments such as they are now represented? I am only desirous of presenting a few statements to the people. I have entered into no oratorical controversy with Mr. Clingan, and if it will give any gratification to him, I yield him the palm—the more readily, since a victory in such a contest would be no triumph. The speech I now send you, was delivered on the spur of the occasion, without notes; and no Editor has "politely waited on me" with notes to aid me. It is as accurate as I could make it, under such circumstances. If Mr. Clingan can write out speeches verbatim at Hartford, as delivered, he is a very extraordinary young man.

The gentleman from Buncombe has thought proper to change the current of the debate, and to make a personal attack upon me and my political course; he dealt in assertions as coarse and illiberal, as I trust I can show they are unjust. If the gentleman can reconcile such conduct to his own sense of propriety, I certainly do not object to it. No public man should object to having his public character discussed. All he ought to ask of those who undertake the task of his dissection, is that they would correctly inform themselves of facts and events; state them fairly, and not trust entirely to rumor and insinuation.

The gentleman, in designing me a great injury, has no doubt unintentionally rendered me a very great service. I am therefore much obliged to him; "I thank thee Jew for that word." He has afforded me a public opportunity of putting at rest forever, a slander which has been most industriously circulated for the last two or three months, and although it has done the bidding for which its inventors designed it, still it is agreeable to me to expose it. It has at hitherto squatted like a toad, ugly and venomous, disgusting to true form and character, and scattering around its pernicious influence. I will now touch it, if not with the magic spear of Ithuriel, at least with the spirit of truth, and force it to assume its true character and lineaments, which will be found, as in the sacred story alluded to, the source of evil and the parent of falsehood.

The gentleman has accused me of hostility to the West. I deny the charge, and appeal to the votes I gave at the last session of our Legislature, as conclusive proof of its injustice. I say, sir, and I think the assertion was proved, that those who represent western interests in the present Legislature, have been too grasping; that in their anxiety to reward a personal friend, and a political favorite, they have overlooked and entirely disregarded a great eastern interest, to the manifest jeopardy of that interest, if not to its entire annihilation. I did not accuse the western people of being parties to this injustice. No, sir, I believe if they had been present, they would have had the liberality to have said, let the greatest peculiar interest which North Carolina has at Washington, be represented by whomsoever that interest may think best calculated to aid it.

What interest, Mr. Speaker, has North Carolina at Washington, which is not common to the rest of the states, and which will require the special attention of our senators? I know of none, except the improvement at Nag's Head. Ought any one then to be astonished, that those persons who feel a deep interest in this work, who firmly believe that its execution will incalculably promote the wealth as well as the health, of a large section of the state, should feel deep and abiding dissatisfaction, that our political friends should select as agents to attend to this matter, one gentleman who had hitherto been opposed to it, and another who knew but little about it; who lived remote from it, and who, in the nature of things, could not feel any great interest in it?

If there had been any great political necessity for this conduct, if the county of Orange had had more pressing claims, if the gentleman selected had been pre-eminent for ability, the pride and ornament of the state, calculated to raise the intellectual standard of senatorial eloquence, I, sir, would have heartily united in the choice; my constituents would have been satisfied with the brilliant glory about to be reflected upon them, and struggled for years as they have hitherto done. Since, however, there is no pretence of this kind, I trust the gentleman from Buncombe will cease to be astonished that they complain.

I told the Senate yesterday, when I addressed them, that I was fully aware of what charges and insinuations I exposed

myself. I knew the torrent of obloquy that awaited me and my motives, from the fact that my name was unsuccessful before the caucus. The gentleman from Buncombe has not disappointed my expectations, he has harped upon my exposed mortification from the beginning to the end of his speech; in fact, that seems to have been his principal, if not his exclusive object in making it.

In the corrupted currents of this world, particularly in these times of office seeking, nobody would believe me if I were to deny that I was disappointed. I shall therefore, in this matter, throw myself upon the charity of the world, adopting the course of Charles Surface in the play, who, when he took his leave, left his character in the custody of his friends. I trust, however, since people of ordinary understanding do not usually parade their private griefs before the public without an object, the public will not overlook, on account of the absurdity of my pretensions, the facts which I have brought before them; and if they will do so, and consider those facts maturely, I shall be amply rewarded for all the odium I have brought upon myself, and the loss of the good opinion of the gentleman from Buncombe.

The gentleman from Buncombe charges me with inconsistency, because I went into the caucus, participated in its deliberations, made speeches, &c., and now complain of it. I stated yesterday to the Senate, why my friends and myself preferred suffering injustice to an open and violent breach of our political associations. If we had gone off, and by that means, as occurred in Virginia, prevented the election of senators, the whole state would have rung with denunciations of our selfishness, and our abandonment of the public interest. I have thought proper to acquiesce in the decision of the majority here, but I have reserved to myself the right, and I have exercised it, of appealing to our constituents, the people of North Carolina, to know whether they will sanction a proceeding which preferred the private to the public welfare, and whether hereafter in the selection of the important places of Senators, the wants, the wishes, and the interests of different sections of the state shall not be first regarded.

I admit, sir, the great body of the Whig party lies west of Raleigh, the east is principally in the hands of our political opponents; but the eastern Whigs fought gallantly and manfully, struggling against many odds, for equal rights and equal privileges, and it was a part of their creed as well as their belief, that the spoils would not enure entirely to the victors.

It is a wise provision of our constitution, that every great interest should, as nearly as possible, be represented. In this body, the property of the country is partially represented; and in the other, numbers alone. Why is this, sir? It is that the majority should not overrun and oppress the minority; that the minority might have an opportunity at least of being heard, and appealing to the justice of the majority, an appeal, which I trust, in North Carolina, will never be made in vain.

Gentlemen may cry out, the party is in danger, and threaten me with its denunciations; they may open upon me the cry of the whole pack, little dogs and all. But, sir, I am not to be deterred from what I conceive to be my duty, by any such clamor. I shall contend upon this floor, for what I believe to be the rights and interests of the eastern part of the state, even if every man from this to the seaboard, was my political opponent. They are yet my countrymen, and entitled to justice from me; and in my legislative capacity, I shall recognize no party, but the interests of the country, and every portion of its inhabitants.

The gentleman from Buncombe says, the reason why I did not receive the western votes in caucus was, because the west had no confidence in the stability of my political principles; they doubted, he says, whether I was a good Whig, and I suppose for fear they might be taken in, upon so important a matter, and to place the issue beyond all hazard, they settled upon Messrs. Graham and Mangum, as pre-eminent the two gentlemen, whose previous political lives gave the strongest assurance of steadfast attachment to those principles of public policy, which the Whig party intended to carry out in practice.

This, Mr. Speaker, is a very grave charge, and if I have justly incurred it, I do not blame the gentleman for his thus publicly "reading me out of the party." A political chameleon has always been my abhorrence, and of all charges, none could have astonished me more than this; and, sir, if the gentleman will listen to me, I can convince him that he has been most egregiously duped in this matter.

It will be impossible for me, Mr. Speaker, to defend myself, without alluding to the political course of Messrs. Graham and Mangum, particularly of the latter gentleman; and if I should tread somewhat roughly on his toes, I hope he will excuse me, and look to his indiscreet and imprudent friend from Buncombe, whose over-zeal has compelled me to compare

my humble merits with this shining example of political consistency.

Of Mr. Graham's opinions or services, I know nothing, and shall therefore say nothing. I presume he owes his exaltation to that species of political gratitude, which is said to be a thankfulness for future favors. With Mr. Mangum's public life, I am somewhat more familiar. We served together in Congress during the most extraordinary period of the political history of this country, a period which required greater firmness and stability of character among the members of Congress, than any previous time.

The occupant of the Presidential chair, at that time, (Gen. Jackson,) was a man of unbounded popularity and a force and uncontrollable self-will; a man who had but to express a doubt of the honesty or capacity of a public servant, and however great he might previously have been, he was struck down as if by a political palay, and a mark was placed upon him, which deprived him even of the sympathy of his fellow-men. These were times, sir, which if they did not try men's souls, tried most awfully their love of place.

Mr. Mangum and myself went into Congress as the political friends of Gen. Jackson; he entered the Senate of the United States a statesman of mature age and established a reputation, whilst I took my seat in the House of Representatives, the first time I had ever been a member of any deliberative body, a young man, obscure and unknown. The President very soon commenced his attack on the Bank of the United States, and I think I am warranted in saying, that attack was received with almost universal astonishment throughout the country. The constitutionality and utility of the Bank was supported, by all parties, to be "res adjudicata." It had been brought into existence by the democratic party. Mr. Madison, who had once been its opponent, had surrendered his opposition, from a sincere conviction, founded upon the best of all evidences, official experience, that some such machine was necessary to the safe and efficient operation of the Treasury Department. To the surprise of every body, Gen. Jackson first proclaimed the bank had failed in furnishing the nation with a good currency. Now, whatever other objections may be fairly brought against such an institution, overshadowing and controlling the entire business of this vast country, the late bank was not liable to this objection; its currency was the best in the world, for it was preferred every where to gold and silver.

In 1832, the President's objections to the bank came before Congress for their consideration, upon an application of the bank for a renewal of its charter; and a bill for that purpose, with sundry improvements, passed the Senate by a large majority. Mr. Mangum will be found, by his votes on that occasion, giving an uncompromising hostility to the bill. He voted nearly always with Messrs. Hayne and Benton. The bill passed the Senate, and came to the House of Representatives. I voted for it—not that I entertained any special fondness for the bank—but because the country was prosperous, and satisfied with the existing state of things. I had heard no complaint; and I thought it the part of wisdom to let well enough alone. I did not suppose, that because I was friendly to Gen. Jackson, it was my duty to go with him in all the waywardness of his passions and prejudices. I knew then, as I afterwards found, that my vote would expose me to much censure. I preferred, however, what I conceived the best interests of my constituents, to temporary popularity.

Mr. Mangum, it must be presumed, voted against the bill from one of two reasons—either to please the President, and protect his popularity at home—or because he thought the institution unconstitutional. If he voted against the bill because he objected to its details, every body must admit, it was the duty of a gentleman filling the important post of senator, to have pointed out his several objections; and, unless they were very weighty, he ought to have yielded, sooner than give a vote which, if successful, would revolutionize the whole monetary system of the country.

It is but justice, then, to Mr. Mangum to suppose, that he voted against the bill rechartering the Bank, because he thinks such institutions unconstitutional—an objection which no political inconvenience or fiscal necessity can justify a senator in overlooking.

For, sir, I hold it to be a cardinal point in the creed of every American politician, that the constitution is the supreme law of the land; and that no public man can be justified by any circumstances, in giving a vote which he believes to be in violation of the provisions of that sacred instrument.

That this must have been Mr. Mangum's opinion at that time, and continued so to a very recent date, I hold in my hand the most unquestionable evidence. This, sir, is a paper containing Mr. Mangum's political creed, given by him voluntarily to a gentleman who sits near me, (Mr. Wilson, of Edgecombe,) two years ago, and preserved by that gentleman as conclusive evidence that Mr. Mangum

had not departed from his old political creed; which was formerly in strict accordance with the gentleman from Edgecombe, who is known to be constitutionally opposed to a Bank of the United States.

### COPY.

Willie P. Mangum says, that he never voted for a bank in his life, neither state nor federal. He further says, that he never voted to appropriate a cent in his life in favor of internal improvements by the general government, without the district of Columbia. He further says, that he never voted in favor of a tariff of protection, but did and said every thing in his power to defeat every measure of that description. He further says, that he has uniformly voted in favor of economical appropriations, and has strongly disapproved of the increase of expenditures to upwards of \$38,000,000 at one or two years, and the general increase at all times for the last 4 or 5 years by the general government. That he professes, and hopes that he has acted uniformly upon the principles of strict construction of '38 and '39, and that he has never consented to be harassed by any party, so as to deviate from the above principles. And he defies any documentary proof in contradiction of any of the essential principles contained in the above. Mr. Mangum further says, that he is decidedly opposed to the present administration, believing that the head of the government and many of his friends, have violated the most, if not all of the essential principles contained in the above.

In presence of, [signed,] LOUIS D. WILSON, W. A. BLOUNT.

Dear Sir: The foregoing is a copy of the political statements of the Hon. Willie P. Mangum, committed to writing by me, at his request, during the session of the Legislature, in 1833, furnished at your request, and which I am authorized to do by him.

Respectfully, &c. LOUIS D. WILSON.

To Hon. Wm. B. Shepard.  
During the same session of Congress, another question arose, which has much divided the people of the United States. I mean the division of the proceeds of the sale of the public lands, according to the provisions of Mr. Clay's celebrated land bill. As the origin and history of the bill is but imperfectly known to many senators, I will state what was generally said of the matter in Washington, at the time.

There has always been a strong party in Congress, composed principally of members from the new states, who are desirous of having the public lands ceded to those states. Some of them have gone so far, as to claim them as a matter of right. In 1832, a resolution was introduced into the Senate, inquiring into the expediency of such a cession. The resolution, contrary to all parliamentary precedent, was referred to the committee on manufactures, although there was a standing committee on the public lands, whose special duty it was to attend to such matters.

Mr. Clay was, however, chairman of the committee on manufactures, and some uncharitable people in Washington supposed, that as he was thought of for President, the design of his enemies in making such a reference was, that if he reported in favor of giving the lands to the new states, he would ruin his prospects in the old, and if against it, he would ruin himself in the new states.

Mr. Clay, however, to the dismay of his political foes, viewing the subject as a great statesman, anxious alone to render full and impartial justice to every portion of the country, reported back to the Senate that celebrated bill, which met at once with the approbation of every fair mind, even among his political opponents. And, sir, it is a remarkable fact, that such was the power of truth upon that occasion, that the bill passed by a considerable majority, although the Senate was politically opposed to him. How did Mr. Mangum vote on this bill? He voted against it, as usual, with Benton and Hayne. The bill came down to the House of Representatives, and I voted for it, along with very few southern members. It however failed to become a law. I have always regarded the loss of this bill, as the greatest misfortune which has befallen North Carolina, since the revolution. Had that bill passed, we would, as a state, have received up to this period, more than \$3,000,000, and escaped the long train of evils which have followed in the wake of that disaster.

The federal government would have had no surplus revenue to feed its corruption; there would have been no specie circular, or distribution bill, enabling a cunning secretary to throw confusion into the currency and business of the country; North Carolina would have had ample means to build a road for the gentleman from Buncombe, and to do what ever else the welfare of her people required. And what, sir, is the reverse of this picture? The money has been lost through banks and defaulters, to the benefit of no one.

I said, sir, that I voted for the bill with a few other southern gentlemen, and for

that vote I incurred the displeasure of the leading southern politicians. I will remember, that some of the South Carolina delegation, on their journey home after the rise of Congress, did me the honor at a public place near my district, of proclaiming me an enemy to the south, because of the votes I gave. I say, sir, I regard such denunciations as honorable; for I look upon my vote upon the land bill, considering the time and the circumstances under which I gave it, as more creditable to me, than any act of my political life.

I have selected, Mr. Speaker, these two subjects of the bank and the public lands, not only because they were two prominent features of the last administration, and therefore admirable tests of my political consistency; but, sir, they are now recognized as the cardinal points of the creed of the Whig party in North Carolina. The gentleman from Buncombe will not deny that these are test questions, since he was an active member of the caucus which took unconditional pledges of its nominees, upon the subject of a bank and the public lands.

I therefore submit it to a candid and impartial public to decide, how far the gentleman from Buncombe has been actuated by a spirit of justice, when he says the West doubted my political consistency. The conclusion is irresistible, from the facts I have stated, that he has either misrepresented the opinions of his constituents, or evinced a most extraordinary ignorance of the political course of the gentleman who he has selected as the exponent of the principles and wishes of the Whig party.

I regret, Mr. Speaker, that I have been compelled to bring forward in prominent relief before the Senate, the votes of Mr. Mangum. I entertain no feeling of hostility or unkindness towards that gentleman, nor am I disposed to embarrass him. I have no doubt, if he has changed his views upon these subjects, he has good reasons for doing so; if he dislikes these public exhibitions, he must pray as other politicians have done, "save me from my friends, and I will take care of my enemies."

I have been assailed as likely to do deceive my political friends, and I know of no other way disproving such a charge, than by a reference to my past conduct in comparison with those persons who are exhibited as standards of political morality.

The gentleman from Buncombe expresses surprise that I voted for Mr. Mangum, knowing as much of his previous course as I did. I voted for Mr. Mangum upon the first balloting in caucus, because I had been repeatedly assured the west desired he should be sent back to the Senate. Many western gentlemen said that was the desire of their constituents; many gentlemen had elected themselves upon the manner in which he had been removed from the Senate, and as a reward for his having surrendered three months of his term of service, they were desirous of putting him back for seven years.

Believing the western people had a right to gratify their own taste and humor in this matter, I yielded with pleasure to their wishes. I did so the more willingly, because I supposed, as a matter of course, the second vacancy would be filled by an eastern man.

The gentleman from Buncombe, in commenting on my remarks in caucus, has forgotten to tell the Senate that I then said my name should be no obstacle to the selection of an eastern man. And, sir, if the slightest intimation had been given to me, that any portion of that assembly entertained the sentiments which have been avowed here to-day by the gentleman from Buncombe, it would have been peremptorily withdrawn. I myself did not entertain the slightest thought, that I would be the choice of that assembly. I had been too correctly informed of the secret influences which were at work in this city, to entertain any such prospect. I did think that a distinguished eastern gentleman, a former governor of our state, (Gov. Owen) whose name was in nomination, would have been selected. And, sir, had the lot fallen upon him, I would have never uttered a word of complaint. I had been informed, that six years ago, the gentleman was defeated by a very small majority in a canvass for the senate, because he was a friend to the opening of our river. And, sir, if an attachment to Gen. Harrison is heretofore to be the only test of qualification for the Senate of the United States, I knew this gentleman stood unimpeached on that subject, and I could not believe that any party, even when flushed with victory and intoxicated with success, would commit so great an outrage upon the wishes and feelings of the rest of the state, as was perpetrated by our friends in caucus.

The gentleman from Buncombe says "that a friend of mine observed in his hearing, that I never acted with any party." This, I presume, he repeats now as a sneer. I regard it, Mr. Speaker, as a very different light; I look upon it as a compliment. It is true, sir, I have never been a mere party man. I have always regarded the individual who goes right or wrong, with his party, who has no re-

lection or volition of his own, as a miserable creature, as a fit instrument in the hands of an arid demagogue, or a bold tyrant to rob his country of her liberties.

It seems, moreover, that I incurred the gentleman's displeasure, because, "although elected as a supporter of Gen. Jackson's administration, my speeches were chiefly admired by the opposition."

I know nothing of the gentleman's political course, in this respect; he has greatly the advantage of me. I presume, however, he was one of those idolatrous admirers of Gen. Jackson, who pronounced he could do nothing wrong, and that it was an act of unpardonable audacity, for a member of Congress to think for himself upon any subject, where the President had thought proper to think for him. At the risk, however, of shocking the gentleman still more, I will tell him that I never was, nor ever pretended to be, a great admirer of Gen. Jackson, nor ever thought him a fit person for the Presidency. At the first election which took place after I came of age, I acted with the democratic party, and voted for Mr. Crawford. He was the only person voted for in this state, in whose success I felt any great interest. When the contest was narrowed down between Gen. Jackson and Mr. Adams, I voted for the former as the choice of evils, nor do I regret the vote; subsequent experience has satisfied me, that Gen. Jackson, impetuous and ungovernable as he undoubtedly was, is nevertheless a better man than Mr. Adams.

The gentleman says, if he remembers right, on one occasion, I praised John Q. Adams. Now, sir, having pleaded guilty to so many of his charges, I trust he will believe me, when I deny this. The course of that gentleman, whilst I was associated with him, met with my unqualified disapprobation. What the gentleman alludes to, I presume is, that in a debate which took place in the House of Representatives in 1830, in allusion to the charges brought against Mr. Clay of having been guilty of bargain, intrigue and corruption, in procuring the removal of Secretary of State, I did say, "it was a calamity which should be sent back to the filthy kennel where it was engendered."

And, sir, in what sort of a community do we live, that a public man cannot render justice to a political opponent, without being rebuked for it, and having his motives questioned? I trust that I may never be that spiritless and soulless thing which would shrink from such a duty.

Who is Henry Clay, that any American citizen should be afraid to do him justice? He is, sir, one of those gallant spirits, occasionally seen among us, to exalt and ennoble our species. During the darkest and gloomiest period of the war, when division at home and assault from abroad, threatened our free institutions with annihilation, he was the same ardent and enthusiastic patriot he has ever been. He was then the idol of the democratic party, and of amidst our angry political divisions, he has been justified from his old associates. I trust the time is not far distant, when a generous people will amply repay him the debt of gratitude which they owe him for his long and eminent civil services.

The gentleman from Buncombe, accuses me of being what he calls a "fence man," for having on several occasions thought for myself, and voted against my political friends. He yet takes good care not to specify the votes, and let them be condemned by their individual merits. I would say to the gentleman, that I defy him to point out a single vote given by me, during the eight years I served in Congress, the justice and prudence of which, has not been ratified by the people, in the late Presidential election. If this constitutes a fence politician, I wish to God we had more of them.

It is a very common practice, Mr. Speaker, to attribute the present condition of the country entirely to Gen. Jackson. This, sir, is unjust. Gen. Jackson had his faults, but if the Congress of the United States had acted with the firmness and independence becoming their station; if they had not manifested the most pusillanimous subservience to the President, he never would have trampled on them as he did. They, however, thought, I suppose, with the gentleman from Buncombe, that they were elected as his friends, and they were therefore bound to obey him.

It is melancholy to find, sir, such notions as these prevailing throughout the country, and even to some extent among intelligent men. The President is every thing, the Constitution nothing; the President's opinions control the government; the legislature has barely the poor privilege of squabbling about their daily rations. There can, sir, be no efficient reform of our government, until we reform this monstrous abuse, restore to our members of Congress the right of individual and independent opinion; let them be true and condemned by their constituents alone, and then the people will have for their agents, men of some pride of character, without which, there can be no security for the performance of their duties.

The gentleman says "for a great while

after the nomination of Gen. Harrison, I was opposed to him." This is not exactly so, but I will not dispute with the gentleman about small errors. It would be inausurably tedious to do so. I admit I was opposed to the Harrisburg Convention, and bitterly regretted the result of their deliberations. I knew but little of Gen. Harrison. He was known to the country as a successful General, but of his civil qualifications, I, with the country generally, knew nothing. We have, since that time, both of us, become more enlightened. I thought, moreover, there was a man in the Whig ranks, who had done more for the party than any man in the nation; a man pre-eminently for ability, who had borne our standard aloft in the darkest hour of our contest, and had frequently saved it from capture. Need I say that man was Henry Clay, or that the whole south looked to him as alone entitled to the nomination, and I firmly believe, the timidity of his friends alone, has prevented him from now being the President elect of the United States.

I am not, sir, an admirer of this new doctrine of availability. The people owe much to those public servants who serve them long and faithfully, in the civil walks of life, and ingratitude is a dark and heavy crime in nations, as well as individuals.

It is, moreover, unwise policy in the people, to treat with ingratitude those persons who are best qualified to serve them. If the wise and the long tried are driven from their service by indifference or ill treatment, who will ultimately fill the public councils? The time-serving and the grovelling. It is fortunate for the country, that Gen. Harrison's character, upon investigation, proves to be so irreproachable. The precedent, however, was a bad one, and I hope it will not be again adopted. I trust the stock of military Presidents will not be engrafted upon the country.

Moreover, these national conventions are extremely unfavorable to the relative strength of the south, and the smaller states of the Union. They are admirably devised schemes for giving the whole control of the Presidential election to the larger states, and if they become the settled policy of the country, New York, Pennsylvania, and Ohio, will hereafter always decide who is to be President.

The constitution of the United States intended, whenever there was a division in the electoral college, the election of President should be made in the House of Representatives, when the vote should be by states, giving to the smaller equal weight with the larger states. This is, in my opinion, Mr. Speaker, a feature of that instrument, invaluable to the south, and one which we ought most strictly to adhere to. We are the weaker portion of the confederation, and the time is not far distant, when our influence in the Presidential election will be our only security for our peculiar institution.

For this reason, I, together with a large portion of the Whig party, denounced the Baltimore convention which nominated Mr. Van Buren. For the same reason, I was opposed to the Harrisburg convention. The system is a bad one, and it is in vain to say we are compelled to resort to it. The wise page of history tells us all bad precedents had a good beginning, and by what reasoning a states' right man can justify such a system, is to me extraordinary, unless he resides in a large state, and believes any means of gaining power justifiable. I forbear, however, Mr. Speaker, of going farther into this subject; it is a very important one, and well deserves the mature consideration of the southern people. I have thus briefly alluded to it, in order to indicate the reason of my hostility to the Harrisburg nomination; a hostility which had nothing to do with Gen. Harrison's nomination, but is of a much older date, and I think amply justified both by the letter and design of the constitution.

The gentleman from Buncombe asks, "whoever did bear during the last campaign, that this matter, (viz: the improvement at Nag's Head,) formed a part of the Whig doctrine? Here I take issue with the gentleman, and say most emphatically, that it formed a prominent part of the Whig doctrine. Gen. Jackson, in the height of his power, never denied that it was the duty of the federal government to improve the harbors and inlets of the country; he even permitted the constitution to ascend the rivers as high as high water. Mr. Monroe in his celebrated veto of the Cumberland road bill, acknowledged the power in the federal government to appropriate money to all improvements, which were general and not local; nor did I believe that there was any intelligent politician in this country, until I saw Judge Mangum's confession of faith, who seriously entertained the opinion, that the federal government had no power to appropriate a cent for any improvement without the District of Columbia.

All I can say is, if this opinion be a sound one, we have made a most foolish compact; we have given to the federal government the power of taxing our commerce in every port and harbor of the union, and have denied to that government the power of applying one cent to the indispensable wants of that commerce. Fortunately, however, for the country, the gentleman is not an oracle of the Whig party; he may be sound authority in Buncombe, but I doubt whether his authority extends far beyond that ancient and extensive dominion. We have, however, the most undoubted testimony, that Nag's Head is a part of the Whig creed. Why was it, that the entire north, during the last summer, was loud and bitter in their complaints; that the Van Buren party, during the last session of Congress,

in consequence of the poverty of the treasury, omitted, for the first time in a series of years, to pass the annual harbor bill? And, sir, has it not been a constant theme of denunciation against the two last administrations, that whilst they were squandering millions on the harbors of the north, and of Lake Erie, scarcely a dollar found its way south of the Potomac river? The work at Nag's Head is an improvement strictly national in its character, and is far removed from all contested questions about internal improvement by the general government; and if it is not a part of the Whig creed, I am at a loss to know what we have been contending for. At all events, if it is not, I will say that I have been most egregiously deceived; and if the gentleman speaks by authority for the Whigs of North Carolina, when he throws overboard the Nag's Head matter, I entreat him to throw me with it. I am not desirous of acting with any party that can be governed by such narrow and selfish principles.

The gentleman from Buncombe, bids me good morning as a political associate. He supposes, because I denounce in strong terms certain proceedings here this winter, as extremely selfish and liberal, that I must of course abandon my political associations. He seems to be incapable of recognizing any bond of union, but a satisfaction with a division of the spoils. I do not permit any man, nor any set of men, to indicate to me a line of conduct. I have supported the election of Gen. Harrison, because I thought the country required a change. I have associated with the Whig party, because I supposed they advocated principles which are dear to me as an American citizen. I believe they are the friends of an efficient and economical administration of the federal government; that whilst they will administer its lawful and admitted powers for the benefit of the whole community, they will leave to the states the uncontrolled regulation of their domestic affairs. That they will bring back the government to its ancient republican track, and whilst they weed out its corruptions, and expel from its service the unworthy, they will invite around the national standard, the good, the intelligent, and the upright of all parties. When I am convinced by better authority than the gentleman from Buncombe, that they do not mean to do this, I will quit them, but not till then.

**Remarks of Mr. Graham,**  
In the Senate of the United States, on the bill to establish a permanent pre-emption system in favor of settlers on the Public Lands.

A motion was pending to exclude foreigners not naturalized, from the benefits of the bill. During the discussion of this point some observations were made by some administration members which drew from Mr. Graham the following remarks:

Mr. GRAHAM, from North Carolina, rose and said that he had originally entertained no design to participate in this discussion. Those whom he represented (so far as he had ascertained their wishes) were generally opposed to the policy of pre-emption, and he, himself, concurring in that opinion, had intended to content himself with a silent vote, but for certain doctrines which had been advanced and facts stated in the progress of the debate. The bill would have been far less objectionable to him had the amendment proposed which was offered by the senator from Kentucky, (Mr. Crittenden,) limiting the bounties which it proposed to confer to American citizens, and excluding un-naturalized foreigners. But, in resisting this amendment, the distinguished senator from New York, (Mr. Wright,) had contended that any one of the states had the right to confer the elective franchise on foreigners without naturalization, according to the laws of the United States, and thus enable them to vote in elections under this government; and the honorable senator from Illinois, (Mr. Young,) who has just taken his seat, had stated that this doctrine was actually carried out in practice in his state, for that there aliens had voted after a residence of six months. He could not but regard such a doctrine as directly in the teeth of the Constitution of the United States. The honorable senator from New York, (Mr. Wright,) understands this power to belong to a state by reason of the general provision in the Constitution that members of the House of Representatives and the President are to be chosen by the people of the several states, and that "the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature." It was unnecessary for Mr. G. to remind one who showed himself so familiar with such subjects of the ordinary rule of interpretation, that all parts of the instrument must be looked to in giving it a construction, and that general words were oftentimes controlled by particular provisions. The section of the Constitution immediately preceding that referred to by the senator from New York, was equally general in its terms—"All legislative powers herein granted shall be vested in a Congress of the U. States, which shall consist of a Senate and House of Representatives." If we look no further than this clause, the Senate and House of Representatives can make laws without hindrance or concurrence from any other department of the government. The words are as comprehensive as any that our language can afford. But in the subsequent part of the Constitution, we learn that no act of Congress shall become a law unless it receive the approbation of the President, except

in cases which need not now be mentioned. Finding this first and broadest declaration of the Constitution qualified and restrained by subsequent provisions, our surprise will be the less if we discover that that relied on for the support of the power in question is subject to a like qualification. Let us, in passing, inquire, who are "the people of the several states," by whom representatives, &c., are to be chosen? Who are the people of Kentucky, among whom you, sir, reside? Who are the people of New York? Does any one understand them to include un-naturalized aliens, owing allegiance to foreign governments, and bound to cleave to them in the event of a controversy with our own? But suppose that by the generality of these words they were embraced. The Constitution elsewhere, in express terms, gives to Congress the power "to establish a uniform rule of naturalization," and Congress has exercised that power by prescribing the rule. From its very nature, it cannot be concurrently exercised by the General Government and the states. There cannot, in the nature of things, be a uniform rule throughout the United States, and yet different rules in different states. But it is asked by the senator from New York, (Mr. Wright,) shall Congress prescribe the qualifications of voters in the states? By no means. Congress cannot prescribe any qualifications for electors in the states who are native born or naturalized citizens; and even in the case of a foreigner they cannot prescribe to him qualifications as an elector, properly so called, but they prescribe the means by which a disqualification under which he labors may be removed; and such disqualification can be removed by no other authority. This construction of the Constitution conflicts with no just rights of the states; on the contrary, the rights of all the others are grossly violated by any one of them undertaking to naturalize aliens in any other mode than that agreed upon in the Constitution of the United States. The states, by the Constitution, have entered into certain stipulations with each other, which none of them can in good faith violate. Some of these are of a positive character, such as that they will deliver up fugitives from justice, and fugitive slaves and servants. Others are negative, such as that they will abstain from the exercise of powers themselves which they have delegated exclusively to the General Government. To refuse to execute the former is a crime of omission; to attempt the exercise of the latter is a crime of commission; both alike injurious to the other states. When, therefore, a state admits foreigners to political rights, affecting the action of this government, without naturalization, she violates the covenants of the Constitution and does injury to her sister states.

Such (said Mr. G.) is my reading of the Constitution. How stands the question upon authority? I believe that all interpreters of the Constitution agree that the states have alienated exclusive powers of legislation to this government in three cases only: 1st. Where the Constitution, in express terms, granted an exclusive authority to the Union. 2nd.—Where it granted, in one instance, an authority to the Union, and in another prohibited the states from exercising the like authority. 3rd.—Where it granted an authority to the Union, to which a similar authority in the states would be absolutely repugnant and contradictory. And it is a little remarkable that all the commentators on the Constitution, from Mr. Madison down—at least as far as I am informed,—have selected this very power of naturalization as an illustration of the third class of these cases. In the Constitution of the state which I have the honor in part to represent—and but for this fact Mr. G. would not now have obtruded himself on the notice of the Senate—as adopted in 1776, there is this clause—"Sec. 40. That every foreigner, who comes to settle in this state, having first taken an oath of allegiance to the same, may purchase, or by other just means hold, acquire, and transfer land or other real estate; and, after one year's residence, shall be deemed a free citizen." Under this section, foreigners, by taking an oath of allegiance to the state, may yet acquire, hold, and transfer lands; but, in the fulfilment of her duties to the Union—and Mr. G. trusted she had fulfilled them all—North Carolina, by her constituted authorities, both legislative and judicial, had uniformly admitted that, by her adoption of the Federal Constitution, and the passage of naturalization laws by Congress, the latter clause of the section just quoted was abrogated; and that foreigners could become citizens only according to the uniform rule established by Congress. And Mr. G. appealed to the honorable senators if it was just towards her, and the other states of the Union, who put a like construction on the Constitution, that other members of the confederacy should adopt a different rule of naturalization. When the constitution was adopted, it was declared to be intended to secure "the blessings of liberty to the people of the U. States and their posterity." Aliens were no parties to it. But a provision was inserted by which Congress might admit them to become parties, and to share in its blessings. The Constitution was brought into existence mainly to regulate our foreign relations. To Congress had been given the power to make peace and war with other nations, and there appeared to be a propriety in giving it also the power of determining upon what conditions the people of those nations should be admitted to share with us in the privilege of deciding on the question of peace and war with their native countries.

But (said Mr. G.) the states have agreed by the Constitution to distribute their relative power in the other branch of Congress, and in the election of a Chief Magistrate, according to the respective numbers of their people; and, so long as those numbers depend on the natural course of increase, or on the inducements which might be held out for emigration from one state to the Union to another, the struggle for power among themselves was one of fair and honorable competition. But, sir, I deny that in such a contest any state has a right to invoke as allies un-naturalized foreigners. This is a subject of vast magnitude, to which I desire to call the special attention of Congress and the country. There is shortly to be a new distribution of power, according to the census recently taken of the people of the United States. Sir, I protest against aliens being enumerated in that census; or, if so enumerated, against any state acquiring members of the House of Representatives, or votes in the Presidential election, by considering aliens, not naturalized, as a part of "the people" of such state. This is an unconstitutional mode of acquiring power, which, if tolerated, would subvert one of the first principles of our confederacy. And, with proper deference to the opinions of others, I cannot conceive a more gross violation of the constitution, a more clear usurpation of power, than for a state to annul or dispense with the laws of naturalization, and swell its own importance and weight in the Union by the aid of aliens owing no allegiance to this country, but bound by the highest obligations to take up arms against it in the event of war with their own sovereign. Such an injury is the more grievous because it operates not so much against this government as against the constitutional rights of the co-states of the confederacy who had not expressly provided sanctions to prevent such infractions.

Mr. G. would take occasion to remind the Senate that not only personal bravery and adventurous spirit, the qualities so much lauded by honorable senators from the west as characterizing those for whose benefit this bill was intended—that not only these, but the highest degree of virtue and honor, might co-exist with a deadly hostility to republican institutions; and he would exhort them to beware how bounties were bestowed on those who owed no allegiance to the government.

Mr. G. said he had not noticed, in its proper connexion, the precedent alluded to by the honorable senator from New York, (Mr. Wright,) of the admission of Michigan into the Union with a clause in her constitution allowing foreigners to exercise the elective franchise. If he (Mr. G.) had been correctly informed in relation to the facts of that case, he did not conceive that it sustained the doctrine contended for by the senator from New York. As Mr. G. had understood, the constitution of Michigan gave the right of voting to the inhabitants of that state at the time of its formation; and the act of Congress admitting her into the Union was by implication a special act of naturalization for the then inhabitants. He supposed such a law was within the power of Congress; and if so, the case of Michigan was not a precedent for this, to him, (Mr. G.) new and alarming doctrine; if, however, it were otherwise, he could not admit that a single precedent of Congress could overturn what was in his opinion the true construction of the constitution—one of its most important provisions. Mr. G. said that he had no feeling of hostility to foreigners who were disposed to become citizens according to the constitutional mode. He believed our present regulations on the subject were hospitable and liberal. If they were not enough so, he was even willing to hear propositions to make them more liberal. He, however, was opposed to annihilating the uniform rule on the subject of naturalization, and bestowing bounties on those who owe no allegiance to our government.

**Pennsylvania—Gov. Porter's Message.**—On the subject of internal improvements, the public debt, and the reformation of the banking system, the Governor refers to his last annual Message. The resumption of specie payments is spoken of as being about to take place; and after some remarks on that topic his excellency says: "I cannot, however, conclude this part of my subject without recommending that no increase of our banking capital be made under any circumstances, and that effectual provision be made by law, that if any bank shall at any time hereafter, suspend specie payments, it shall be ipso facto a forfeiture of its charter. Nothing short of an absolute unconditional provision of this kind, can arrest the frequent over issue by the banks, induced by the inordinate cupidity of those under whose directions they may be conducted. Let the great principle be distinctly announced, as the foundation on which our banking institutions rest, that hereafter, there are to be no more suspensions of specie payments in Pennsylvania."

The Public Debt of Pennsylvania is stated to be in the aggregate \$367,790, 775 69. The Public Property of the State, including Bank and other stocks, moneys due on land, the value of the public works, &c., is estimated at \$36,498,370 96. These resources, however, are not immediately available for the payment of the principal or interest of the public debt. There will be a deficiency in the fund for the payment of the interest on the public debt, on the 1st of February next, of about \$800,000. The act of June 11th, 1840, imposing a tax upon various articles of luxury, such as

gold watches, pleasure carriages, bonds, bills, stocks, &c., has not yet gone into effect; it is presumed that about \$600,000 will be raised during the year by this means. This sum, with the other resources of the commonwealth, will be sufficient, it is thought, to meet the annual interest on the state debt. Yet as a large amount is to be paid in February, before the avails of the tax can be realized, a temporary loan will be necessary. If it cannot be negotiated, the Message recommends that a portion of the State's bank stock be sold. Gov. Porter says:—

"I can never consent, by word or deed, to countenance the idea that the faith of the state can be violated by a failure to meet her engagements. If there be any in our country who would be willing, if they were able, to abrogate the contracts of the commonwealth, and be faithless to her creditors, let their doctrine be distinctly avowed, and the issue fairly made up before the people. The intelligence and integrity of our citizens would speedily convince the world that they feel the necessity in a republican government, of maintaining, unswerving, public faith and national honor."

With regard to internal improvements, it is recommended that no appropriations be made except to complete certain works already begun and nearly finished. The Erie Extension and the North Branch canals among these—a comparatively small sum being now required to complete them.

**THE BOUNDARY DISPUTE.**  
Governor Kent, in his address to the Legislature of Maine, just delivered, expresses himself on the subject of the Northern Boundary in the following terms. After alluding to the impediments and delays which have heretofore interfered to prevent an adjustment of the question, he says:—

"The time cannot be far distant when the question must assume a more definite shape, either peaceable or warlike; and much as we may deprecate the awful evils and miseries of war, we ought to be prepared to meet the issue, if such, after all, is the determination of our opponents, with the firmness of men who feel that they have the right, and who will not yield to threats or force the inheritance of our fathers and the rightful territory of our state. The unanimity which has characterized our state on this question, in the midst of all our political excitements, is a sure guaranty that the people are ready to sustain their rulers in all judicious, temperate, yet firm and decided measures, and that it is regarded by them as too sacred and too solemn a subject to be made the instrument of any mere party schemes or movements."

On the subject of the recent military occupation of Madawaska by order of the Governor General of Canada, Gov. Kent says:—"I cannot but view this proceeding, as my predecessor does, in his reply to Sir John Harvey, as a direct and palpable infringement of the subsisting arrangement," and as taking military possession of that portion of the contested territory. And if the suggestion of Lieut. Gov. Harvey, who seems not to have been consulted in relation to this new act of jurisdiction, and who evidently regards it with regret, if not as an infringement of subsisting arrangements, is disregarded, and the British troops are permanently located at Madawaska, I shall feel it my duty to reiterate the request already made to the General Government, and to urge upon the Government the justice and expediency of taking military possession on the part of the United States of the territory in dispute. The General Government owes it to Maine to move forward in this matter with promptness and energy, with a sincere, and even anxious desire to preserve peace, but with an equally firm determination to maintain subsisting engagements on our part, and to insist upon a full performance from the other party."

**Waste of Public Money.**—The January number of the Southern Literary Messenger contains the last of a series of articles on the Navy, all of which are interesting, but this particularly so, as it points out many abuses which have crept into that branch of the service, with suggestions for their removal. They are from the pen of Lieut. Maury of the navy. We were particularly struck with the impositions practised upon the government of late years, in the building and repairing of ships. Lieut. Maury states, that the schr. Pilot was built by the government at a cost of \$33,000, and before she had performed her first cruise, was sold for \$3,000; and that the schr. Active was bought to supply the Pilot's place, costing \$8000, and the cost of repairing her for the voyage was \$13,700—and without having been to sea at all, she was sold for \$4500! The estimated cost of building a sloop of war of the first class, and fitting her for sea, is \$85,000; and at the private ship-yard, the packet-ships, which are considerably larger and which are fitted out in the most elegant manner, "with bulk-heads of bird's-eye maple, saloons, splendid cabins, magnificent apartments," cost from 75 to \$80,000; yet, to repair the St. Louis sloop of war, in 1839, cost the government

\$119,435 25! The original cost of the schr. Shark was \$32,000; and when last repaired, her repairs cost \$46,000! In 1832, the frigate United States was repaired at a cost of \$131,281—in 1833, she was again repaired at a cost of from 75 to \$100,000—and after the last repairs were finished, she was found to be rotten, and is now lying at Norfolk, unfit for sea! The cost of building the Ohio ship of the line was \$294,042; and the cost of repairing her in 1839 was \$261,355—nearly three times as much as the cost of building!

**The Cliven Foot.**—Mr. Van Buren discoursed wonderfully in his late annual message to Congress, on the evils of a national debt; boasted mightily of having conducted the affairs of government through the dark period of pecuniary embarrassment and difficulty, without having incurred any debt or imposed any additional burthens on the people; and assured the public that there would be a million and a half surplus in the treasury on the first of January instant! Well, so far as mere assertion and profession went, this all looked very fair. But facts are stubborn things, and a single one of these often upsets the most specious and plausible system of fiction and misrepresentation. The having issued millions of treasury notes, flatly contradicted the President on the subject of debt, and the call for five millions more bursts the beautiful but illusive bubble of having a surplus in the treasury on the first of this month. It is a notorious fact, too, that the post office department is largely in arrears with its creditors. It is indebted to the Philadelphia and Baltimore Rail Road companies, we know not how much, and, according to the late annual report of the President and Directors, it owes the Wilmington and Raleigh Rail Road company \$11,665 57; and the Globe quotes without comment, an article from a New York paper, in which the "floating claims" against the government are set down at \$27,500,000! and yet Mr. Van Buren sits complacently in his chair, waiting for the hour when the robes of office will fall from him, and the responsibility of getting out of the difficulties shall, by the art of *hocus pocus*, be shifted to the shoulders of the new administration—protesting all the time that the treasury is full! no debts have been contracted!! no burdens have been imposed upon the people!!—Was any President ever before known to practise such barefaced impudence?

**Mr. Webster.**—Referring to the probable appointment of Mr. Webster to the office of Secretary of State in the new Cabinet, the Nashville (Ten.) Banner says:—"We should like it for more reasons than one, not the least of which is, that it would tend, in a great measure, to break down those sectional prejudices against Mr. Webster which have too long been a drawback upon his influence as a statesman and his eminent usefulness as an expounder of the National Constitution. It is full time that we should all realize that we are one people, and that such men as Clay and Webster, whether born on 'north or north-west side,' are the common property of a common Union. The late canvass did much, we are happy to believe, to bring about this oneness of feeling. The new administration can do much to consummate it!"

**The Cincinnati Republican** relates the following fact, to show the true condition of the National Treasury:—"The United States Bank some time since bought \$100,000 worth of our city bonds, bearing an interest of five per cent, and payable in 1861. These bonds the Bank afterwards sold to government. They were bought, as we learn, for the benefit of the Navy Pension Fund, and were intended as a permanent investment. But in some way these bonds came into possession of the Manhattan Bank, a pet institution in New York (whether as collateral for moneys advanced, or as a part of government means we don't know,) and were sold in New York Market last week for \$60,000.—What a sacrifice! And yet the 'new system works well!' The Treasury Department is doing well! Alas! Fact in this matter outweighs assertion."

**France and Buenos Ayres.**—We have been favored with a Rio de Janeiro paper of the 25th November, containing a copy of the treaty of peace recently concluded between the French Admiral and the government of Buenos Ayres. The news that the treaty had been concluded produced, it appears, a great sensation at Montevideo. All the French residing there protested against the act, and resolved to draw up a petition to be sent to the French Chambers. *Nat. Int.*

From the year 1822 to 1830, the foreign loans taken in London, amounted to \$27,000,000—or \$283,000,000. No United States loans were included in the above.

From the year 1822 to 1830, the foreign loans taken in London, amounted to \$27,000,000—or \$283,000,000. No United States loans were included in the above.

From the year 1822 to 1830, the foreign loans taken in London, amounted to \$27,000,000—or \$283,000,000. No United States loans were included in the above.

From the year 1822 to 1830, the foreign loans taken in London, amounted to \$27,000,000—or \$283,000,000. No United States loans were included in the above.

## HILLSBOROUGH.

Thursday, January 28.

In our columns to-day will be found Mr. Shepard's reply to Mr. Clingman. We have given place to it, because we desire ample justice shall be done to that gentleman, and because there are many things in the speech which really deserve approbation. But in defending himself, we think he has not done justice to the gentlemen who seem to have been in the way of his ambition. Of Mr. Graham's opinions and services, he says, he knows nothing; but a profession of so much ignorance is not calculated to produce a very high esteem for his candor. With Mr. Mangum's public life and political opinions he professes to have been more familiar; but on this head he seems to have fallen into a very great error. In 1832 a bill passed the Senate of the United States by a very large majority, for renewing the charter of the Bank of the United States. To this bill Mr. Shepard says, Mr. Mangum, by his votes, manifested an "uncompromising hostility;" and this hostility Mr. Shepard seems to think must have been caused by one of two reasons—"either to please the President, and protect his own popularity at home—or because he thinks such institutions unconstitutional."

Now, we think we speak advisedly when we say, that this is not a true representation of Mr. Mangum's opinion in relation to the United States Bank, nor of his motives of action upon it. Mr. Mangum has repeatedly said, and we believe truly, that he never voted for a bank in his life, either state or federal; but we have never heard him express any thing like an "uncompromising hostility" to the late Bank, or an opinion that such a Bank was "unconstitutional." Indeed, his open declarations, made at the time, were directly the reverse, and if the terms of the charter had been altered to suit his views, he would have yielded to it his support. One of his propositions was, that the rate of interest should be reduced to five per cent. as he deemed that to be as much as the small profits of the Southern planters would enable them to pay; and as a compensation to the Bank for this reduction of interest, he was willing to dispense with the bonus. These opinions of Mr. Mangum were long ago expressed, and we have no reason to think they have since undergone any alteration. The insinuation that, in so grave a matter, Mr. Mangum could be actuated by so mean a principle as to seek to "please the President in order to protect his popularity at home," is too low to deserve a word of reply.

With regard to Mr. Mangum's vote upon Mr. Clay's land bill, we dare say he is able to give a satisfactory explanation of it. This much we know, that he has for years past been a warm and able advocate of a just and equitable distribution of the proceeds of the public lands among all the states, and we believe that his course throughout the whole of this matter will meet the general approbation of his constituents.

**WALDIE'S SELECT CIRCULATING LIBRARY.**—We are glad to perceive that Mr. Waldie has re-commenced the publication of his Select Circulating Library, the two first numbers of a new series of which we have received. Mr. Waldie's publication has long held a high place in public estimation, and the numbers before us afford good promise that the new series will continue to hold an equally high rank. The volume commences with a very interesting work, Jesse's Memoirs of the Court of England during the reign of the Stuarts, including the Protectorate. The price of the Library is five dollars a year, to be paid in advance. Five numbers will be issued monthly, each number to contain sixteen quarto pages, neatly printed, on fine paper. Persons desiring the work, can see specimens at this office.

**CONGRESS.**—The bill in the Senate for a permanent prospective pre-emption system, after undergoing various amendments, was, on Wednesday last, ordered to be engrossed for a third reading by a vote of 30 to 17. The debate was afterwards resumed, and continued to the last day, possessing a very animated and interesting character, a portion of which debate we intend to present to our readers in our future numbers.

In the House of Representatives, the contested election from the third congressional district of Pennsylvania, between

Mr. Naylor and Mr. Ingersoll, has been brought to a close by the adoption of a resolution declaring Mr. Naylor (Whig) the fitting member, to be duly elected. The vote was, for the resolution 116, against it 85. Of the North-Carolina delegation, Messrs. Osberry, Fisher, Graham, Hill, Rayner, Shepard, Stanley and Williams voted for the resolution; Messrs. Bynum, Conner, Montgomery, Hawkins and McKay against it.

At the last dates a bill was under discussion in the House of Representatives for a new issue of five millions of dollars in treasury notes, to meet the deficiency and supply the pressing demands upon the treasury.

A resolution passed the House of Delegates of the state of Virginia, by a vote of 67 to 55, instructing the Senators from that state in Congress to introduce and vote for a resolution repealing and rescinding the expiring resolutions passed by the Senate of the United States, Jan. 16, 1837.

In the Senate, the resolution was indefinitely postponed, by a vote of 20 to 10.

**Great Flood.**—The northern papers give extended accounts of an unprecedented flood, caused by the excessive rains and thaw, in Maryland, Pennsylvania, New Jersey, New York, &c., the greatest flood "ever before known," excepting, perhaps, Noah's. Immense damage has been done; houses, bridges, and other property have been swept away to the amount of millions of dollars, and many lives have been lost.

**Executive Council.**—Gov. Morehead has notified his Council to meet in this city on the 10th of March, to advise with him in the appointment of the members of the Literary and Internal Improvement Board.

The Richmond Enquirer says that Mr. Van Buren has not acceded to the request of Mr. Stevenson (our Minister at St. James) that he may be recalled; but, in consequence of the slow aspect of affairs in regard to the boundary question, and the affair of the Caroline, has desired Mr. Stevenson to remain in England until a successor should be appointed and reach London.

In the Senate of Pennsylvania the resolution offered by Mr. Williams, in favor of a distribution of the proceeds of sales of the public lands, among the several states, passed a second and third reading on Saturday. During the discussion on these resolutions an amendment was offered and adopted, the effect of which is to instruct the Pennsylvania delegation in Congress to vote against any pre-emption law having for its object the throwing open of the public domain, hereafter, to actual settlers. The vote in the Senate on the final passage of the resolutions was quite decisive—Ayes 21, noes 6.

As a sign of the progress of opinion and probable course of events, we may mention that the Keystone newspaper, the especial organ of Gov. Porter, has come out in favor of the distribution principle. There is no sort of doubt but that these resolutions in favor of a distribution of the proceeds of the sales of the public lands will pass both branches of the Legislature of Pennsylvania, and in that case very little doubt that they will receive the signature of Gov. Porter.

[Balt. Patriot.]

**Death of Com. Stevens.**—The "National Intelligencer" announces the death of Commodore Thomas Hollup Stevens, of the Navy. In the meridian of life, and in the enjoyment of the highest of health, he retired to bed on Wednesday night, and before morning the angel of death had stricken him from the number of the living.

Commodore Stevens was a native of Charleston, South Carolina, and entered the navy in 1808, at the early age of fifteen. Young as he was, he had distinguished himself in the war of 1812, even before Perry's victory on Lake Erie, and he commanded one of the vessels in that ever-memorable battle. As a man, he was without reproach; and, as an officer, was regarded as one of the brightest ornaments of the navy in peace, as he had been one of its most gallant sons in war.

**Governor of Maine.**—The Legislature of Maine having accepted the report of the committee appointed to count the votes for Governor, that there was no election by the people, the House, on Thursday, nominated Edward Kent and John Fairfield to the Senate, and the latter body, by a vote of sixteen to eight, on the same day, elected Mr. Kent (W.) Governor of Maine for one year. On Wednesday, Mr. Kent took the oaths of office and entered upon the discharge of his duties.

In Albany the loss by the freshet is estimated at more than \$100,000. Four persons perished by the Croton freshet. The loss at and near the Croton Dam is estimated at \$672,500.

The Saddlers of Philadelphia city and county are petitioning Congress for a protective duty on foreign manufactured Saddlery and Harness.

Governor Seward was attacked with paralysis in the Executive Chamber at the Capital on Thursday, and the attack is said to be serious.

**Correspondence of the National Intelligencer.**

New York, January 21.  
The movement in Pennsylvania upon the public lands, arrests attention here. If, say Administration men, Governor Porter is to sanction Mr. Clay's distribution principle, why should we hold back, whose interest it is also to give our sanction? The fact is, the whole land, from the Wabash and the Santee to the Potomac, favors this principle of distribution, and a prostrate, dying party alone oppose it. The opposition to it from the North and East I know springs only from old party allegiance. The threat of a seizure of these lands made by Senators in Congress, stimulates but an earlier settlement of the question, and more earnestly directs the public mind to ward it.

The stock of the United States Bank has had a further advance; sales to day were 534. It will go up yet further, in all probability, now that the panic is over. It is said that McLeod, the British prisoner in the Buffalo Jail, is to be removed to Lockport, under the escort of two companies of United States troops—thereas having been given out that the Canadians would liberate him. This may be true, and may not.

A war between Spain and Portugal was talked of; the pretext on the part of Spain being that Portugal had not given to her the navigation of the Douro, according to treaty. It was thought that the intervention of England would settle the difficulty.

In the manufacturing districts there was great activity, the exports to the United States continued brisk.

### FLORIDA.

One of the last items of Indian cruelty is the murder of Mrs. Montgomery, wife of Lieut. M. of the army. The Globe, in an article giving the particulars, says,

"Contrary to instructions from the War Department, and in opposition to positive orders issued by the Commanding General, forbidding any escort being sent from post to post, under thirty men, a wagon was despatched from Fort Micanopy to Fort Wachaboota with only eleven mounted infantry, under command of Lieut. Sherwood and Hopsan; as the morning was fine, Mrs. Montgomery rode out with them. About an hour after their departure, some of the horses returned to Fort Micanopy without their riders, and shortly after two soldiers rode up and announced that the party had been attacked. Mrs. Montgomery and Lieut. Sherwood and several soldiers killed. The garrison immediately sallied out, and within three miles of the fort found the bleeding corpse of Mrs. Montgomery, with a soldier still breathing lying by her, with just enough strength to say to her agonized husband, who threw himself on the ground by his wife's bleeding body—"Lieutenant, I fought for your wife as long as I could." Lieut. Sherwood was well mounted, and might, it is reported, have escaped, but would not abandon his fair charge. This barbarous act, it is believed, was committed by a band of the cruel and bloodthirsty Mikasukies.

The frontier posts in Florida are not fit places for the residence of ladies. The same reasons which render it improper for them to be on board ships of war, might be urged against their being allowed to accompany their husbands to these posts of danger. Officers ought to be left free to act in moments of emergency, without the uneasiness of having to protect helpless women and children.

This unfortunate lady had been only three weeks in Florida, and but lately married.

**Alabama.**—The Legislature of Alabama adjourned on the 9th instant, after passing upwards of a hundred acts, mostly of a local nature. Amongst the most important general acts, is one establishing a Penitentiary system, which is to take effect on the 1st of October next; and another adopting the General Ticket system in electing members of Congress from that state.

A joint resolution was also passed, authorizing the Governor to cause gold medals to be made and presented to Miss Mary McKerly and sisters, in consideration of the industry and success of these young ladies in the cultivation of Silk, an elegant specimen of which was deposited, by resolution, in the executive office of the state.

**The Electoral Vote of Alabama lost.**—The Florence, Ala., Inquirer of Dec. 19, confirms a statement recently made, that the Electors for President and Vice President have thrown away the vote of that state by an informality. The Constitution of the United States provides that the mode of voting in the electoral colleges for President and Vice President shall be by ballots, and that the two shall be voted for by distinct ballots, and that these facts shall appear on the face of the certificate of election. Instead of this form, the electors rose to their seats when their names were called, each one responding in turn,—"Martin Van Buren of New York for President of the United States, and Richard M. Johnson for Vice President."

In the lower House of the Alabama Legislature a provision has been adopted in the Penal Code, which makes death by duelling a crime of murder in the first degree.

The trial of the young man at Charlottesville, for the murder of Prof. Davis, is postponed. The principal witness, a youth named Kineid, from South Carolina, has absconded.

The trial of the young man at Charlottesville, for the murder of Prof. Davis, is postponed. The principal witness, a youth named Kineid, from South Carolina, has absconded.

The trial of the young man at Charlottesville, for the murder of Prof. Davis, is postponed. The principal witness, a youth named Kineid, from South Carolina, has absconded.

**Executive Appointments.**—Every number of the "Globe," recently issued, contains a batch of Executive Appointments, which have been confirmed by the Senate—some of them for offices that will not be vacant until the 4th of March. This conduct strikes us as being in very bad taste, (to give it no harsher name,) on the part of a President who has been dismissed so unceremoniously himself by the people. Ordinary courtesy would seem to dictate that the present incumbent should not take advantage of his temporary position to infringe upon the proper sphere of his successor. Every one recollects, that after Gen. Jackson was elected President, but before he took his seat, Mr. Adams sent in some nominations for vacancies existing at the time, which were promptly laid on the table, and the vacancies left unfilled until the accession of the new President.

In relation to some unreasonable appointments of this kind by the elder Adams, Mr. Jefferson made the following remark, which is quite to the point: "I can say with truth, that one act of Mr. Adams' life, and one only, ever gave me a moment's personal displeasure. I did consider his last appointments to office as personally unkind. They were from among my most ardent political enemies, from whom no faithful co-operation could ever be expected; and laid me under the embarrassment of acting through men whose views were to defeat mine, or to encounter the odium of putting others in their places. It seems but common justice to leave a successor free to act by instruments of his own choice."

Rail Register.

### TEXAS AND MEXICO.

Calverton papers to the 3d instant have been received at New Orleans.

President pro tem. Burnet has submitted to Congress a project for calling out volunteers to repel an anticipated invasion from Mexico. In laying this matter before the Legislature, he indulges in some glowing speculations as to the extension of the boundaries of the young republic. Texas proper is now bounded by the Rio Grande, "Texas, as defined by the sword," says President Burnet, "may comprehend the Sierra del Madre. Let the sword do its work."

The plan proposed for levying forces (says the New Orleans Bee) does not, we believe, contemplate a draught upon the agricultural classes or the mechanical industry of the Republic. It is thought that volunteers in abundance could be raised for the service, as so doubt there could be should the designs of Texas extend even beyond the repulsion of invading force.

The Texas papers are discussing the war proposition of President Burnet. The feeling is decidedly warlike, though the question is discussed with moderation.

A courier arrived at Austin on the 23d December, with information that a body of hostile Mexicans had entered the county of San Patricio.

**Land Ho!**—The Philadelphia banks have paid two days, "heavy, powerful and strong," and they hold a bold front still. Heaps of dollars are being lying on their counters waiting for customers. Foreign exchanges have fallen below the water tide, and that in the face of abundant importations of foreign fabrics. "Our great staple" has taken a lively turn in foreign markets, and above all, the time for the inauguration of Gen. Harrison draws near. These considerations, some or all of them, caused and imparted general confidence to dealers in all departments of business.

Jour. Com.

A bill has passed both branches of the Pennsylvania Legislature, requiring the Governor to borrow \$800,000, at an interest of six per cent., to meet the interest on the state debt falling due in February.

According to the Philadelphia North American, it is computed that the Banks of that city paid out on Friday the 15th (the day of redemption,) about \$50,000 dollars in specie, principally on New York and Boston account. The U. S. Bank having furnished, the circulating medium for some time past, paid out the largest amount; next, the bank of Pennsylvania.

**Cotton.**—This article has experienced a slight advance, since the last European news. It may now be quoted at from 9 1/2 to 10 cents.

The vote at the last August election in Indiana for and against a Convention to amend the constitution of the state, stood 12,277 for, and 61,721 against a convention. Majority against a convention, 49,444.

**Appointment by the President.**—Rev. Martin P. Parks, of Norfolk, Va., to be Chaplain and Professor of Geography, History, and Ethics, at the Military Academy, West Point, in place of the Rev. Jasper Adams, resigned.

**Imprisonment for Debt.**—The Legislature of New Hampshire, at its recent session, passed an act to abolish imprisonment for debt.

**Resumption in Georgia.**—The Governor of Georgia has issued his proclamation, in accordance with the law of the recent session of the legislature, requiring the banks to resume specie payments on the first day of February next.

The Philadelphia, Wilmington, and Baltimore Railroad Company has declared a half yearly dividend of three per cent. payable on the 15th of February next.

The Texas Congress has passed a law by which property cannot be sold at all, under execution, unless it shall bring two thirds of its appraised value.

We are making out our accounts, and transmitting them through the post-office to subscribers in arrears. Those more convenient will be waited on by an agent. We hope in all cases our demands will be met in a spirit of justice and liberality, and with a promptness, which the many expenses connected with a printing office, for paper, type, &c. so imperatively require.

The regulations of the Post Office Department permit remittances to be made to editors through the Postmasters, free of charge, which our distant subscribers can avail themselves of.

**MARRIED.**  
In this county, on Tuesday evening the 19th inst. by the Rev. Robert C. Maynard, Dr. J. H. Youns of Greenville, to Miss Lucy P. Parker, daughter of Col. Abner Parker, of this county.

| Weekly Almanac. |                     | MOON'S PHASES. |                |
|-----------------|---------------------|----------------|----------------|
| JANUARY.        | Sun Sun rises sets. | D. M. H. M.    | MOON'S PHASES. |
| 28 Thursday     | 6 55 6 5            | 11 11 11       | Full           |
| 29 Friday       | 6 54 6 6            | 12 12 12       | Waxing         |
| 30 Saturday     | 6 53 6 7            | 1 1 1          | Full           |
| 31 Sunday       | 6 52 6 8            | 2 2 2          | Waxing         |
| 1 Monday        | 6 51 6 9            | 3 3 3          | Full           |
| 2 Tuesday       | 6 50 6 10           | 4 4 4          | Waxing         |
| 3 Wednesday     | 6 49 6 11           | 5 5 5          | Full           |

### Hillsborough English Academy.

THE Board of Commissioners, having procured the services of Mr. J. O. DEND'HALL, who is eminently qualified to teach the usual branches of an English Education, would respectfully announce to the public, that the school under the superintendence of the Board, will be opened on Monday the 1st day of February next. The terms of tuition are, (per session,) For Spelling, Reading, Grammar, and Writing, \$5 00; Spelling, Reading, Writing, Grammar, Arithmetic, Geography, History, &c. \$8 00. Tuition to be paid in advance. The great importance of having a good English School in a community, with a cheap rate of tuition, it is hoped, will induce the citizens to patronize this school.

EDMUND STRUDWICK, LEMUEL LYNCH, WILLIAM H. BROWN, JAMES M. PALMER, JOHN BERRY, JOHN A. FAUCETT, January 27.

On taking charge of the English School in Hillsborough, the subscriber considers it due both to the public and himself to state, that he has not slightly considered the important and responsible nature of the duties he is about to assume, and that he is determined to spare no pains nor labor in his efforts to cultivate the intellectual faculties of the pupils who may be entrusted to his care. Their morals also will receive strict attention, as a matter indispensable in a well regulated school. In order to make himself a useful and successful teacher, he will consider it his duty to study the various dispositions and propensities of his pupils, and by thus finding the true avenue to the youthful understanding, he will hope the more readily to communicate instruction and improvement.

In conducting the exercises of the school, he will endeavor to confine himself as much as possible to the explanatory or demonstrative method of instruction, and is general to govern more by a system of moral discipline than by a fear of the rod. Having been eleven years engaged in teaching, the subscriber flatters himself that his efforts to give satisfaction to his employers will prove successful.

J. O. DEND'HALL.

### Good Second-hand Sulkey FOR SALE.

A NEWARK BUILT SULKEY on elliptical springs. It has lately been thoroughly repaired, and for use is almost as good as new. It cost \$180. The owner, having no use for it, will take half that sum for it and the harness. Inquire at this office.

January 27. 57-4w

### Negroes for Sale, in Hillsborough.

WILL be sold, on Monday the 23d day of February next, a likely young NEGRO WOMAN and Child, and a BOY about fourteen years of age, on a credit of six months.

By the Executor of the late Isabella Thomson January 27. 57-4w

### Trust Sale.

BY virtue of a Deed of Trust executed to me, for certain purposes therein mentioned, I shall expose to public sale, on the 23d day of February next, (it being the Tuesday of Orange County Court,) in the Town of Hillsborough,

**Between Twenty-five and Thirty NEGROES.**

Among them are Male Women, Boys and Girls, nearly all young; some seven or eight of the best house servants, male and female, ever offered for sale. Also,

**near 2000 acres of Land,** lying in the Western District of Tennessee. Terms—One-half cash, the other at six months credit, for negotiable paper well endorsed.

STEPHEN MOORE, Trustee. January 26. 57-1s

The Raleigh Register and Standard will publish the above until the day of sale.

### Blooded Stock.

MY full blooded ENGLISH BULL is now in good health, and he will be kept at my Barn Yard in Hillsborough and will serve Cows at five dollars each. I have some English Stock I would sell.

JOSIAH TURNER. January 15. 56-1s

### STATE OF NORTH-CAROLINA.

Person County. Court of Pleas and Quarter Sessions, December Term, 1840.

Joseph S. Thompson vs. John A. Leath. Original Attachment.

IT appearing to the satisfaction of the Court, that John A. Leath, the defendant in this case, is not an inhabitant of this state; it is therefore ordered, that publication be made in the Hillsborough Recorder for six successive weeks, for said defendant to be and appear before the Justices of our Court of Pleas and Quarter Sessions, to be held for the county of Person, at the court house in Roxborough, on the third Monday of March next, and then and there reply or plead to issue, or judgment pro confesso will be entered against him.

CHARLES MASON, Clerk. Price Adv. \$4 50. 56-2s

### STATE OF NORTH-CAROLINA.

Person County. Court of Pleas and Quarter Sessions, December Term, 1840.

Nicholas Thompson vs. John A. Leath. Original Attachment.

IT appearing to the satisfaction of the Court, that John A. Leath, the defendant in this case, is not an inhabitant of this state; it is therefore ordered, that publication be made in the Hillsborough Recorder for six successive weeks, for said defendant to be and appear before the Justices of our Court of Pleas and Quarter Sessions, to be held for the county of Person, at the court house in Roxborough, on the third Monday of March next, and then and there reply or plead to issue, or judgment pro confesso will be entered against him.

CHARLES MASON, Clerk. Price Adv. \$4 50. 56-2s

### STATE OF NORTH-CAROLINA.

Person County. Court of Pleas and Quarter Sessions, December Term, 1840.

John Brasher vs. John A. Leath. Original Attachment.

IT appearing to the satisfaction of the Court, that John A. Leath, the defendant in this case, is not an inhabitant of this state; it is therefore ordered, that publication be made in the Hillsborough Recorder for six successive weeks, for said defendant to be and appear before the Justices of our Court of Pleas and Quarter Sessions, to be held for the county of Person, at the court house in Roxborough, on the third Monday of March next, and then and there reply or plead to issue, or judgment pro confesso will be entered against him.

CHARLES MASON, Clerk. Price Adv. \$4 50. 56-2s

### STATE OF NORTH-CAROLINA.

Person County. Court of Pleas and Quarter Sessions, December Term, 1840.

Elizabeth Rogers vs. John A. Leath. Original Attachment.

IT appearing to the satisfaction of the Court, that John A. Leath, the defendant in this case, is not an inhabitant of this state; it is therefore ordered, that publication be made in the Hillsborough Recorder for six successive weeks, for said defendant to be and appear before the Justices of our Court of Pleas and Quarter Sessions, to be held for the county of Person, at the court house in Roxborough, on the third Monday of March next, and then and there reply or plead to issue, or judgment pro confesso will be entered against him.

CHARLES MASON, Clerk. Price Adv. \$4 50. 56-2s

### Union Academy.

THE spring session of this school will commence on the 15th instant, and end on the 15th of June, including term of five months, as usual. The tuition, per session, for the Preparatory Col. Course, \$12 50; English, 7 50; Minors, 5 00. Board six dollars per month. Care will be taken to cultivate the moral, physical and intellectual faculties of the students, for which purpose the peculiar selection of text books and the situation is remarkably adapted.

JNO. R. HOLT. South west Orange, Jan. 5. 56-4w

### HILLSBOROUGH FEMALE ACADEMY.

THE Trustees of this institution take pleasure in announcing that it still continues under the care of its former efficient and accomplished Instructors. No pains have been spared to place it in the highest rank of Female Academies. The ensuing session will commence on Friday, the 23d of January. Teachers and Guardians are particularly requested to bring their daughters or wards in time to be in readiness for the opening of the school, as it is important that the pupils of each class should enter upon their studies at the same time. The modes of instruction, as well as the text books adopted, are, as far as practicable, those recommended by the American Common School Union.

1st Class—Spelling, Reading, Writing, Arithmetic, Grammar, Geography, with the use of the Globes, History, Natural Philosophy, Chemistry, Mythology, Botany, Rhetoric, Astronomy, Geology, Political Economy, Dictation and Composition.

2d Class—Spelling, Reading, Writing, Arithmetic, Grammar, Geography with the use of the Globes, History, Natural Philosophy, Chemistry, Dictation and Composition.

3d Class—Spelling, Reading, Writing, Arithmetic, Grammar, History and Geography.

4th Class—Spelling, Reading, Writing, and Arithmetical Tables.

TERMS OF TUITION—PAYABLE IN ADVANCE.

First Class, \$17 00

Second Class, 15 00

Third Class, 13 00

Fourth Class, 12 50

French, by a native, 15 00

Latin, 15 00

Music on Piano or Guitar, 25 00

Drawing and Painting, 12 00

Needle-work on Canvas, 5 00

Do. on Muslin, 8 00

JAMES S. SMITH, CAMEL JONES, Esq. WM. CAIN, HUGH WADDELL, STEPHEN MOORE, NATHAN HOOKER, P. H. MANGUM.

REFERENCE—Rev. Wm. M. Green, Professor at the University; Rev. Samuel J. Johnson, of Edenton. January 5. 56-4w

From the Baltimore Patriot.

The condition of the Press generally is well portrayed in the following article from the Florida Journal. Editors can never prosper until their business is conducted upon the cash system.

To say nothing of the fact that we took possession of this establishment, we gave notice that our terms would be cash in advance for all subscriptions, and as we are determined to adhere to that rule. The printer is more important upon, and by his own consent, too, than any other man of any other profession in the world. His business—the out-going part—is all cash. To his workmen he must pay cash weekly, and for his paper and ink cash; and yet the Public seem to expect that he shall furnish them with a good newspaper, handsomely printed, and regularly and safely delivered at their door every week, upon twelve months' credit, and the number is not a few who get mad whenever a printer's bill is presented. Now, to avoid all that is disagreeable in this business, we give notice that we shall, in a few days, send our bills for one year's subscription in advance from the 15th of November, 1840, when those who do not like that mode of collection can decide the individual presenting the bill to have their paper discontinued, and then we shall save our paper, ink and labor.

Printers and editors are generally denominated bad pay—and as they are; but how, in the name of all that is honest, can we pay when nobody pays us? Just tell us that, will you, and we'll fork over."

THE TARIFF.—The New York correspondent of the National Intelligencer writes—

It is a great mistake, as I remark in the debates of some of the members of Congress, to suppose that New England and New York, or the great capitalists of New England and New York, now wish for, or are pushing for, a high tariff. If for any tariff at all, except what is necessary for a revenue. A new revolution has taken, or is taking place, among the New Englanders in this matter. As a commercial people during the war, were almost driven by acts of Congress into being a manufacturing people; but now many, if not most of the manufacturing establishments, especially the large ones, are independent of and above protection, as it is called. Their interests almost urge them to oppose any protection that shall rear up lesser and conflicting establishments that may interfere with their monopoly, if I may so call it. So strong are some of them, that they not only exercise a powerful control over the cotton market by buying immense quantities at the lowest prices, to be able to keep out of the market upon a rise of prices, storing it away in immense warehouses; but they are actually making arrangements for a competition with England in the German market, at England's own door of the Rhine! The tariff question thus is never again to present a solid Northern column of clamorous friends, for success is making them indifferent; but the ardent cries may come from the waterfalls of Virginia, or the piney woods of North Carolina. The locality of the high tariff advocates is to cross the Potomac to the Atlantic shore and the Wash on the tier of the states of the West.

Bankrupt Bill.—Mr. Benton has given notice that when the Bankrupt bill comes up in the Senate he intends to move an amendment to include banks and corporations. The proposition made by this senator some few days ago to tax bank notes is of a similar character; and both proceedings are in direct opposition to the rights of the states.

A bankrupt law for the benefit of individuals—a law uniform over the Union and liberal in its provisions—is obviously needed, since the law of a state can extend only to its own limits and cannot protect a citizen beyond. But men doing business have frequent occasion to go from one state to another—hence the necessity of a general law of Congress to operate alike in every state.

But a bank or other corporation is permanent and fixed in one place. It is created by a special law of the state; its charter defines its privileges and prescribes its duties; it is answerable only to the power that instituted it, and the conditions of its own being are the rules by which it is to be judged. There is then no reason why Congress should interfere in the affairs of these institutions; for the laws of the states are quite adequate to take cognizance of them. Nor is there any right by which the general government can interfere. For while a citizen of a state is also a citizen of the United States, and may be bound by the laws of both governments in their respective spheres, a corporation is the creature of a state exclusively.

and owes no responsibility to the federal Government.

The proposition to include state corporations in the bankrupt bill came first, if we mistake not, from Mr. Van Buren in his second or third Message. It was voted on in the Senate last year, and it was rejected. The administration senators from some of the southern states, though usually orthodox enough on party questions, could not go to the extraordinary length of such a measure which aimed a direct blow at the unquestioned rights of the states. Mr. Benton can hardly expect a degree of acquiescence in his will which was refused to the President himself.

Balt. American.

Squalling a little.—The Claremont (N. H.) Eagle says, that while the year and days were calling in the House of Representatives on some question, Mr. Brown of South Hampton, "an old chick," did not answer to his name. When the vote was through, he rose and addressed the Speaker as follows:

Mr. Speaker: I rise to let you know that I did not dodge this question. I only squalled a little, in order to take a better view of the subject, and I now say "no" to that critter."

The manner in which this was done, excited a universal burst of laughter among those present.

Working on Sunday.—The Baltimore Clipper says: Justice Gorsuch has decided in the case of the Jews, Isaac Isaac and his journeyman John Roswell, charged with breaking the Christian Sabbath by working at their trade, that they shall each pay the stipulated fine, \$33.33. Isaac was fined on the ground that he ordered Roswell to work. We understand that the defendants intend to appeal.

Amos Kendall.—A verdict of \$12,085 40 has been rendered against Mr. Kendall, in favor of Stokes and others, in the Circuit Court at Washington, for damages for withholding defendant's pay as mail contractors. The case grew out of the celebrated Mandamus case. Kendall has appealed.

Corn! Corn! Corn!

THE subscriber wishes to purchase FIVE HUNDRED BARRELS OF CORN.

J. S. SMITH.

January 12.

A Card.

DR. MORWOOD, having now no other occupation or business whatever, will devote himself entirely to the practice of Medicine. He may be found (when not professionally engaged) at his shop, in Yorkborough's old store, East of the Court House, ready and willing, at all times and seasons, to attend calls.

Hillsborough Dec. 19.

List of Letters.

Remains in the Post Office at Hillsborough, N. C., on the 1st day of January, 1841, which, if not taken out in three months, will be sent to the General Post Office as dead letters.

B

Albert G Bird  
Wm. Bowler, or  
Sylvester Bettie  
Edward Bridge  
James R Bryan  
John A Benbury

C

Wm Couch  
Susan Cheek  
James N Craig  
Daniel Cloud  
Lemuel Carrol  
James F Clark  
Hardy Cobb  
Sam'l J Calvert

D

Alvin Durham  
Wm Dood  
D W Dillehay

F

Abisha Foucett

G

John Graves  
Sukey Gardner  
Thos Griffin, or care of  
S Moore

H

Wm W Haley  
Miss Susan Hardin  
Stephen Harner  
David Hart  
Frederick H Harward  
Eliza Horn  
Zeno Haydock or Thos  
Thomson

J

James Jeffries  
Wm Johnston  
Peter Keatle  
Mary Ann Kinney

K

Wm E Yellowley

L

Persons calling for any of the above letters will please say they are advertised.

THOS. CLANCY, P. M.

January 5.

Look at This!

ALL persons indebted to me by Note are requested to come and settle them, and all persons indebted to me by Accounts are requested to settle them with Cash or Notes, as I wish to close my books up to this time, 1st of January 1841.

A. PARKS.

January 5.

For Sale,

20 Boxes CANDLES,  
20 Sacks SALT,  
And a general assortment of CASTINGS.

PARKER & NELSON.

October 23.

Job Printing,  
SUCCESSORS AT THE OFFICE.

Goods! Goods! Goods!  
NEW AND CHEAP!!

JAMES WEBB, Jr. & Co.

WOULD respectfully inform their friends and customers that they are receiving and opening

A LARGE & GENERAL ASSORTMENT OF

GOODS,

suitable for the season,

which they now offer for sale, on their usual accommodating terms, consisting in part of

Black,  
Blue,  
Invisible Green,  
Drab,  
Mixed,  
Black,  
Drab, and  
Fashionable.

CLOTHS.

CASSIMERES.

SATINETS, assorted colors and qualities.

Satin,  
Silk, and  
Fashionable Winter,  
French,  
German, and  
English,  
Plain,  
Figured,  
Black, and  
Black & Lead.

VESTINGS.

MERINOES.

MOUSELINS DE LANE.

Plaid, Scarfs and Handkerchiefs, and plaid and striped Bonnet Ribbons, Flannels, Blankets, plaid Linsey, brown and bleached Domestic, Boys' and Men's Caps, Hardware, Cutlery, Crockery, Tin Ware, Boots, Shoes, &c. &c.

October 14.

Dissolution.

THE partnership of WM. H. BROWN & CO. in the Shoe Business, was dissolved on the 25th day of October last, by its own limitation. The books and accounts are placed in the hands of John U. Kirkland, who is authorized to collect the debts and close the business.

JNO. U. KIRKLAND,  
WM. H. BROWN.

January 14.

Boot and Shoe Store  
AND MANUFACTORY.

THE subscriber, having purchased the entire stock of William H. Brown & Co., would respectfully inform the public, that he intends carrying on the business in all its various branches. All work put into his hands will be neatly and expeditiously executed, as he has for his execution first rate materials and first rate workmen. And he hopes, by a faithful attention to his business, to receive a liberal share of public patronage.

To supply the wants of the community in his line of business, he has also purchased

A LARGE AND HANDSOME ASSORTMENT OF

Northern Boots & Shoes;

and intends keeping a supply of these articles constantly on hand. His assortment consists principally of the following articles:

Gentlemen's fine Boots, first quality.  
Do. Do. second do.  
Do. Do. third do.

Boys' Boots, of various qualities.  
Men's Shoes, do.  
Men's Pumps, do.  
Do. Leather Over-shoes.  
Do. India Rubber do.  
Stout Brogans, for Men and Boys.  
Boys' fine Shoes, of various qualities.  
Ladies' Quilted Boots, a new and superior article.

Do. fine Slippers, turnrounds.  
Do. do. springs.  
Do. do. thick soled.  
Do. Bunkins, thin soled.  
Do. do. thick soled.  
Do. Morocco Jefferson-ties.  
Do. Seal-skin do.  
Do. Seal-skin Booties.  
Do. Leather do.  
Do. Morocco do.  
Do. do. Slippers, thick soled.  
Do. do. thin soled.  
Ladies' India Rubber Over-shoes.  
Children's Shoes, of various qualities and colors, &c. &c.

It is deemed unnecessary to enumerate all the various kinds and qualities in the assortment. The assortment is complete, and having been pretty well all selected by the subscriber, are believed to be such as will do good service. So those who wish to purchase good Boots and Shoes, or cheap Boots and Shoes, Boots and Shoes of any kind, are requested to call on the subscriber.

WM. H. BROWN.

January 13.

A CARD.

DR. JAMES S. SMITH's health is so far restored as to enable him to resume the practice of his profession. He cannot promise to ride in the night, as his eye sight has so far failed him as to render night travel dangerous. He has associated his son F. J. SMITH with him in the practice, who will be able to attend to night calls, and such as offer in inclement weather. Under this arrangement all that may call will be attended to, either by day or night, in good or in bad weather.

November 4.

STATE OF NORTH CAROLINA,  
Orange County.

Court of Pleas and Quarter Sessions,  
November Term, 1840.

John U. Kirkland  
vs  
Thos Hunter.

Original Attachment.

I appearing to the satisfaction of the Court, that the defendant is not an inhabitant of this state; It is ordered that publication be made in the Hillsborough Recorder for six weeks that unless said defendant appear at the next term of this court, to be held at the court house in Hillsborough, on the 4th Monday in February next, and repel the property levied on and plead in answer, that judgment by default will be entered against him.

J. TAYLOR, C.

Price Adv. \$4 00.

Job Printing,  
SUCCESSORS AT THE OFFICE.

NEW  
Fall and Winter  
GOODS.

WE beg leave to call the attention of our friends and customers, to a stock of Goods now receiving and opening, just from New York. We will not attempt to flatter, but invite those wishing to purchase to call, and let our sets speak instead of words.

OUR STOCK COMPRISES,

Superior wool dyed Black CLOTHS,  
Do. do. Blue do.  
Do. do. Invisible Green, do.  
Do. do. Grey do. do.  
Do. do. Beaver do. do.  
Do. do. Flannel do. do.

Cassimeres, Vestings, Satinets,  
Striped and plain Linsey, Kersey,  
Super Whiney & Green Makinaw Blankets  
Duffie and twilled ditto,  
Blanket and Cloth Over Coats,  
Ladies' Cloaks, Plaid Shawls, Handkerchiefs,  
White, Red and Green Flannels,  
Green Baize, Oil Cloth,  
French and English Merinoes,  
Plain, Black, and Figured Mouselin de Lane,  
French, English and American Prints,  
Black and Black Bombazines,  
Black and Colored Silks,  
Plain and Chequered Muslin,  
Worked Collars and Scarfs,  
Florence and Straw Braid Bonnets,  
New Style Hoods, Flowers,  
Bonnet Ribbons, Edgings, Laces, &c. &c.

ALSO,  
Glass, Queensware, Crockery, and Stone Ware,  
Turkey Red and Cotton Yarn,  
Hardware and Cutlery,  
Molasses, Loaf and Brown Sugar,  
Chocolate, Mace, Cloves,  
Rice and Ground Ginger,  
Powder, Shot, Nails, Window Glass,  
White Lead, Prussian Blue,  
Crome Green, Crome Yellow, and other  
Paints, &c. &c.

PARKER & NELSON.

October 23.

Land for Sale.

HIT OR MISS, twelve miles north west from Hillsborough, four hundred acres of LAND for sale, wholesale or retail. The land will justify the price.

THOMAS REEVES.

December 22.

Wanted,

IN exchange for Dry Goods—BEES WAX, TALLOW, FEATHERS, and FLAXSEED.

JAMES WEBB, Jr. & Co.

December 16.

Pine Shingles.

THE subscriber keeps on hand, for sale, PINE SHINGLES.

JAMES S. SMITH.

April 8.

NEW AND CHEAP  
GOODS.

THE subscribers would respectfully inform the public, that they have just received from New York,

A handsome assortment of  
GOODS,

embracing all articles usually brought to this market, which they purpose to sell low for cash.

MEBANE & TURNER.

June 17.

Junto Academy.

THE FALL SESSION of this Academy will close on the 15th of next month, and the next session will commence on the 15th January, 1841.

This institution is divided into two departments, English and classical. In each department the course of instruction is full and complete. In the English, are taught, in the first class, Reading, Writing, and Arithmetic, at five dollars per session of five months; and in the second class, English Grammar, Geography, with the use of the Atlas, History, Philosophy, Astronomy, &c., at eight dollars per session. In the classical department, is taught a full and complete academical course of Latin and Greek literature, the tuition fee is twelve dollars and a half per session. In this department students are prepared for any of our Universities. No day students will be taken in either department; each student entering the Academy will be considered bound for the tuition fees, from the time he enters to the end of the session. No deduction will be made for the loss of time, except in case of sickness. Every possible care will be taken to promote the advancement in literature, morality and virtue, of each student placed under our care.

The subscriber is prepared to accommodate eighteen or twenty students with board, and good out rooms, for seven dollars and a half per month, except candles and mending. Good board can be had convenient to the Academy, at from six to six and a half dollars per month.

DANIEL W. KERR, Principal.

Raleigh Star, Standard, and Register, copy the above six weeks, every other week, and send account to the subscriber, Post Master at Junto, Orange county, N. C.

November 14.

For Sale,

GENERAL ASSORTMENT OF CASTINGS.  
30 Sacks of SALT.  
20 Kegs of NAILS.

By  
J. WEBB, Jr. & Co.

October 14.

An English Teacher  
WANTED.

THE Board of Commissioners of the town of Hillsborough, are desirous to engage some competent person to take charge of the English Male Academy belonging to the town. It is believed that a sufficient number of scholars could be procured to make the undertaking profitable to any one who could command the confidence of the community. Immediate application is requested; and may be made to the Magistrate of Police.

E. A. HEARTT, T. Clerk.

January 7.

THESE Medicines are indebted for their name to their manifest and sensible action in purifying the springs and channels of life, and sending them with renewed tone and vigor. In many hundred certified cases which have been made public, and in almost every species of disease to which the human frame is liable, the happy effects of MOFFAT'S LIFE PILLS and PHENIX BITTERS have been gratefully and publicly acknowledged by the persons benefited, and who were previously unacquainted with the beautifully philosophical principles upon which they are compounded, and upon which they consequently act.

The LIFE MEDICINES recommend themselves in diseases of every form and description. Their first operation is to loosen from the coats of the stomach and bowels, the various impurities and crudities constantly settling around them, and to remove the hardened mass which collect in the convolutions of the small intestines. Other medicines only partially cleanse these, and leave such collected masses behind as to produce habitual constipation, with all its train of evils, or sudden diarrhoea, with its imminent dangers. The fact is well known to all regular anatomists, who explain the human bowels after death; and hence the justice of these well informed men against quick medicines, or medicines prepared and heralded to the public by ignorant persons.

The second effect of the Life Medicines is to cleanse the kidneys and the bladder, and by this means the liver and the lungs, the healthful action of which entirely depends upon the regularity of the urinary organs. The blood, which takes its red color from the agency of the liver and the lungs before it passes into the heart, being thus purified by them, and nourished by food coming from a clean stomach, courses freely through the veins, renews every part of the system, and triumphantly mounts the banner of health in the blooming cheek.

Moffat's Vegetable Life Medicines have been thoroughly tested, and pronounced a sovereign remedy for Dyspepsia, Flatulency; Palpitation of the Heart, Loss of Appetite, Heartburn and Headache, Restlessness, Irritability, Anxiety, Langor and Melancholy, Costiveness, Diarrhoea, Cholera, Fevers of all kinds, Rheumatism, Gout, Dropsies of all kinds, Gravel, Worms, Asthma and Consumption, Scoury, Ulcers, inveterate Sores, Scorbatic Eruptions, and Red Complexions, Eruptive complaints, Sallow, Cloudy and other disagreeable Complexions, Erysipelas, Salt Rheum, Common Glands and Influenza, and various other complaints which afflict the human frame. In Fever and Ague, particularly, the Life Medicines have been most eminently successful; so much so that in the Fever and Ague districts Physicians almost universally prescribe them.

All that Mr. Moffat requires of his patients is to be particular in taking the Life Medicines strictly according to the directions. It is not by a newspaper notice, or by anything that he himself may say in his favor, that he hopes to gain credit. It is alone by the results of a fair trial.

Moffat's Medical Manual; designed as a Domestic Guide to Health—This little pamphlet, edited by Wm. B. Moffat, 375 Broadway, New York, has been published for the purpose of explaining more fully Mr. Moffat's theory of diseases, and will be found highly interesting to persons seeking health. It treats upon prevalent diseases, and the causes thereof. Price 25 cents. For sale by Moffat's agents generally.

These valuable Medicines are for sale at the Office of the Hillsborough Recorder.

D. HEARTT, Agent.

May 30.

STATE OF NORTH-CAROLINA,  
Orange County.

In Equity—September Term, 1840.

Charles F. George's heirs v. Zachariah Trice and others.

IT appearing to the satisfaction of the Court that James Trice and J. C. Brassfield, defendants in this case, are not inhabitants of this state; It is therefore ordered, that publication be made in the Hillsborough Recorder, for six weeks successively, that unless said James Trice and John C. Brassfield appear at the next term of this Court, to be held at the county of Orange, at the court house in Hillsborough, on the second Monday in March next, the bill will be taken pro confesso against them, heard ex parte, and decreed accordingly.

JAMES WEBB C. & M.

Price adv. \$4 50.

STATE OF NORTH CAROLINA,  
Orange County.

Superior Court of Law—September Term, 1840.

Polly Taylor, vs. Elisha Taylor.

IT appearing to the satisfaction of the Court, that Elisha Taylor, the defendant in this case, is not an inhabitant of this state; It is therefore ordered by the Court, that publication be made in the Hillsborough Recorder for six weeks that the defendant appear at the next Superior Court to be held for the county of Orange, at the court house in Hillsborough, on the second Monday of March next, to answer, plead or demur to the petition in this case; otherwise judgment pro confesso will be taken against him.

JOS. C. NORWOOD, Clerk.

Price Adv. \$4 50.

Notice-To Printers.

A PRACTICAL PRINTER, who has had considerable experience in conducting a Newspaper, desires to take charge of a new paper establishment, as principal, in North Carolina, Georgia, or Alabama; he would have no objection to associate himself with any gentleman embarked in the Printing business in either of the States last named, as he is very anxious to plant his person, permanently, in Georgia or Alabama. His politics are of the Jeffersonian school, and, consequently, at war with many of the leading measures of the present Administration.

Unexceptionable testimony of good character can be adduced. Address "P. Q., Hillsborough, North Carolina," postage paid.

A PRINTER.

September, 1840.

Press for Sale.

BEING desirous of embarking in another business, I now offer the establishment of the Wilmington Advertiser for sale. I do not know of a more eligible situation for persons desirous of embarking in the printing business, than Wilmington, North Carolina.

Terms accommodating. Applications must be post paid.

F. C. HILL.

Wilmington, Nov. 17.

BRANDRETH'S PILLS.

VEGETABLE, and Universal Medicine, proved by the experience of thousands to be, when properly persevered with, a certain cure in every form of the One Great Disease, all having the same origin, and invariably arising from the UNIVERSAL ROOT of all disease, namely IMPURITY or IMPERFECT CIRCULATION OF THE BLOOD.

In a period of little more than three years in the U. S. they have restored to a state of health and enjoyment over ONE HUNDRED THOUSAND persons, who were given over as incurable by physicians of the first rank and standing, and in many cases when every other remedy had been resorted to in vain.

In all cases of Pain or Suffering, whether it be chronic or recent, whether it be distressing in the side, whether it arise from constitutional or from some immediate cause, whether it be from internal or external injury, it will be cured by persevering in the use of these Pills.

This principle of purging with Brandreth's Pills, removes nothing but the useless and decayed particles from the body—the morbid and corrupt humors of the blood, these humors which cause disease—they impede the functions of the liver when they settle upon the muscles, produce rheumatism; or upon the nerves, produce gout; or upon the lungs, produce consumption; or upon the intestines, costiveness; or upon the lining of the blood vessels, apoplexy and paralysis, and all the train of disorders so melancholy to the sufferer and all who behold them.

Yes, purging these humors from the body is the true cure for all these complaints, and every other form of disease. This is no mere assertion—it is a demonstrable truth, and each day it is extending itself far and wide it is becoming known, and more and more appreciated.

The cure by purging may more depend upon the laws which produce sweetness or purity, than may be generally imagined. Whatever tends to stagnate, will produce sickness, because it tends to putrefaction; therefore the necessity of constant exercise upon.

When constant exercise cannot be had from ANY CAUSE, the occasional use of BRANDRETH'S PILLS is ABSOLUTELY required. These the conduct of the blood, the fountain of life, are kept free from those impurities which would prevent its steady current ministering health. Thus morbid humors are prevented from becoming mixed with it. It is nature which thus assisted through the means and outlets which she has provided for herself.

DR. BRANDRETH'S Office in Virginia, is 105 MAIN STREET, RICHMOND, Near the Old Market.

Where the Pills can be obtained at 25 cents per box, with full directions.

The following gentlemen have been appointed agents for the sale of Brandreth's Pills:

Dennis Heartt, Hillsborough.  
Siedman & Ramsey, Pittsburgh.  
Hargrave, Gaither & Co. Lexington.  
Joseph A. Sireluff, Midway, Davidson.  
James B. McDade, Chapel Hill.  
J. M. A. Drake, Ashborough, Randolph.  
John R. Brown, Privilege, do.  
G. A. Gardner, St. Lawrence, Chatham.  
G. A. Mebane, Mason Hall, Orange.  
E. & W. Smith, Alamance, Guilford.  
J. & R. Sloan, Greensborough.  
J. & R. Reid, Troublesome Iron Works, Rockingham.  
James Johnson, Wentworth, do.  
Wood & Neal, Madison, do.  
J. W. Burton, & Co., Leaksville, do.  
Owen McAleer, Yanceyville, Caswell.  
N. J. Palmer, Milton, do.

December 16.

GOELICK'S  
Matchless Sanative.

THIS invaluable Medicine, which has performed astonishing cures in the Consumption, and other diseases of the liver, is kept constantly for sale by the subscriber, at Hillsborough Post Office, Orange county.

HENRY FOGLEMAN.

March 13.

Hats and Shoes.

PARKER & NELSON have just received,

10 Cases HATS—Comprising Beaver, Silk, and Brush, (very cheap).  
15 Cases SHOES—Comprising, Ladies' Kid Slippers,  
Do. Buckin Walking Shoes,  
Misses Kid Slippers,  
Do. Walking Slora,  
Men's Kid Brogans,  
Do. Stout do.

ALSO,  
Ladies' and Gentlemen's India Rubber Over Shoes.

October 23.

STATE OF NORTH-CAROLINA,  
Orange County.

In Equity—September Term, 1840.

James Webb agent of the Bank of Cape Fear, v. William L. Durham's heirs at law.

Petition to sell Lands.

IT appearing to the satisfaction of the Court that James Durham, Thomas Durham, Ferdinand Durham, and Delilah Durham, defendants in this case, are not inhabitants of this state; It is therefore ordered, that publication be made in the Hillsborough Recorder, for six weeks successively, that unless said defendants appear at the next term of this Court, to be held for the county of Orange, at the court house in Hillsborough, on the second Monday in March next, and then there plead, answer or demur to the said bill, the same will be taken pro confesso and heard ex parte as to them, and decreed accordingly.

JAMES WEBB, C. & M.

Price Adv. \$4 50.

Mattresses.

EITHER Double or Single, made to order—an article of great comfort, either in summer or winter. Orders left at the office of the Hillsborough Recorder will be duly attended to.

July 24.

HILLSBOROUGH, N. C.

PUBLISHED WEEKLY  
BY DENNIS HEARTT,

AT THREE DOLLARS A YEAR, OR TWO DOLLARS FIFTY CENTS IF PAID IN ADVANCE.

Those who do not give notice of their wish to have their paper discontinued at the expiration of the year, will be presumed as expressing its continuance until countermanded—And no paper will be discontinued until all arrearages are paid, unless at the option of the publisher.

Advertisements not exceeding sixteen lines, one dollar for the first, and twenty-five cents for each subsequent insertion; longer ones in proportion. Court advertisements twenty five per cent higher. A deduction of 25 per cent will be made to advertisers by the post.